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82D CONGRESS }
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SENATE

{ REPORT
{ No. 2060

GIUSEPPE BIOLZI

JULY 2 (legislative day, JUNE 27), 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 880]

The Committee on the Judiciary, to which was referred the bill (H. R. 880) for the relief of Giuseppe Biolzi having considered the same, reports favorably thereon, without amendment, and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Giuseppe Biolzi. The bill provides for an appropriate quota deduction and for the payment of the required visa fee and head tax.

STATEMENT OF FACTS

The beneficiary of the bill is a 19-year-old native and citizen of Italy who last entered the United States as a visitor on May 28, 1949. He resided with his aunt and uncle in Rockland County, N. Y. The aunt has since died and the uncle legally adopted the boy on December 3, 1951.

A letter dated January 25, 1951, to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

JANUARY 25, 1951.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice with respect to the bill (H. R. 880) for the relief of Giuseppe Biolzi, an alien.

The bill would direct the Attorney General to permit Giuseppe Biolzi to remain permanently in the United States, notwithstanding the provisions of the immigration laws.

The files of the Immigration and Naturalization Service of this Department disclose that Mr. Biolzi, who spells his given name "Giuseppe" is a citizen of Italy, and that he was born in Bedonia, Parma, Italy, on February 26, 1933. He entered the United States at the port of New York on May 28, 1949, when he was admitted as a temporary visitor until August 28, 1949, under section 3 (2) of the Immigration Act of 1924. Two extensions of stay were granted, the last one expiring on May 27, 1950. An application for a further extension was denied on July 11, 1950, but the alien was allowed until August 1, 1950, to depart from this country. When executing an application for a visitor's visa at the American consulate at Milan, Italy, he stated that the purpose and length of his intended stay in the United States were "to visit Aunt—6 months."

When interviewed on September 18, 1950, Mr. Biolzi stated that he left his native country and entered the United States in order to visit his uncle and aunt, John and Gisueppina Caramatti, at Pearl River, Rockland County, N. Y., and that his coming was at the request of his aunt, Mrs. Caramatti, who desired to have one of her nephews in her home. It is revealed in the record that Mr. and Mrs. Caramatti furnished the alien a round-trip ticket from Italy to the United States and cash for traveling expenses, and that Mrs. Caramatti died in February 1950. During his stay in this country the alien has been unemployed and has been supported by the Caramattis. Mr. Carramatti, a native of Italy, was naturalized as a citizen of the United States in 1917. He manages and resides at the Silver Pleasant Inn, in Pearl River. The alien also has an uncle in South Bound Brook, N. J., and an aunt in Pittsfield, Mass.

The alien has stated that he left school when he was 12 years of age and that, while in school, he had to adhere to the requirements of the Fascist Party, but that his affiliation therewith terminated when he left school in 1945. Between that year and May 1949, he assisted his father in a bakery business and assisted an aunt in a grocery store in Bedonia, Italy. He claims that when entering the United States he intended to return to Italy following his visit but that he now desires to remain here permanently. His parents and four brothers and sisters, all natives of Italy, reside in Bedonia, and have never been in the United States. Persons who were interviewed concerning the alien all spoke favorably of him.

The quota for Italy, to which the alien is chargeable, is oversubscribed and an immigration visa is not readily obtainable. The record, however, fails to present considerations of sufficient merit to justify enactment of special legislation granting him a preference over other persons chargeable to the same quota.

Accordingly, this Department is unable to recommend enactment of the bill.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

Representative Katherine St. George appeared before a sub-committee of the Committee on the Judiciary of the House of Representatives and submitted the following documents in connection with the bill:

COUNTY COURT, ROCKLAND COUNTY

In the Matter of the Adoption of Guiseppe Biolzi, a Minor Over the Age of 18
Years by Americus Caramatti

Upon reading and filing the petition of Americus Caramatti and Guiseppe Riolzi duly verified the 31st day of October 1951 and the agreement of the said Americus Caramatti and Guiseppe Biolzi dated October 31, 1951, and acknowledged the 3d day of December 1951 for the adoption of Guiseppe Biolzi, and the consent in writing of Vittorio Biolzi and Anna Maria Biolzi, father and mother of Guiseppe Biolzi, to such adoption, dated and acknowledged the 18th day of September 1951, all in support of this application for an order confirming and approving the adoption by said Americus Caramatti of the said Guiseppe Biolzi and the said parties having severally and personally appeared before the undersigned, and the said parties having been duly examined pursuant to the provisions of the domestic-relations law, and an investigation into the allegations of the petition and other facts relating to the parties and proposed adoption having been made by John Mulholland, probation officer of the county of Rockland, pursuant to the direction of the undersigned, and in accordance with subdivision 8 of section 112 of the domestic relations law, so as to give the undersigned an adequate basis to determine the propriety of allowing and approving said adoption, and a written report containing the result of such investigation having been duly submitted to the undersigned, and it duly appearing that the moral and temporal

interests of the said Guiseppe Biolzi, will be promoted by the said adoption, and that the said Americus Caramatti, is in all respects a fit and proper person to adopt the said Guiseppe Biolzi, and that no objection exists thereto, and that the said Americus Caramatti has duly agreed to adopt the said Guiseppe Biolzi and to make him his own lawful child, such agreement having been reduced to writing and duly acknowledged before the undersigned, and it further duly appearing that the said Vittorio Biolzi and Anna Maria Biolzi, father and mother of the said Guiseppe Biolzi, have duly consented in writing to such adoption, such consent being duly acknowledged in form sufficient to entitle a conveyance to be recorded in this State: It is hereby

Ordered, adjudged, and decreed, That the adoption by Americus Caramatti of the said Guiseppe Biolzi, be, and the same hereby is, allowed and approved, and it is further

Ordered, adjudged, and decreed, That the said Guiseppe Biolzi shall henceforth be regarded and treated, in all respects, as the lawful child of said Americus Caramatti; and it is further

Ordered, That the afore-mentioned report of John Mulholland, together with the other papers pertaining to this adoption, shall be filed and recorded with the county clerk of the county of Rockland, to be sealed and withheld from inspection, but that such clerk at the time of the filing of this order, on the application of the petitioner or his attorney and on the payment of the proper fees of such clerk, shall make and deliver to the applicant one or more certified copies of this order without any further order of this court.

HERBERT HENION,
County Judge of Rockland County.

Dated December 3, 1951.

STATE OF NEW YORK,

Rockland County Clerk's Office, ss:

I, John W. Coyle, clerk of said county, hereby certify that I have compared the foregoing copy of order, in the matter of the adoption of Guiseppe Biolzi, a minor, by Americus Caramatti, with the original now filed and recorded December 3, 1951, in said office, and find the same to be a true and correct transcript therefrom and of the whole of such original.

In testimony whereof, I have hereunto subscribed my name and affixed the seal of said county this 3d day of December 1951.

[SEAL]

JOHN W. COYLE, *Clerk.*

STATE OF NEW YORK,

County of Rockland, ss:

Harry G. Hadelor, being duly sworn, deposes and says:

I am over the age of 21 years and reside at No. 3 North Main Street, Pearl River, Rockland County, N. Y., and am a citizen of the United States.

I am president of First National Bank & Trust Co. of Pearl River, Pearl River, N. Y., and a partner in a hardware business operated under the firm name and style of Geo. W. Hadelor, at Pearl River, N. Y.

I have known Americus Caramatti, also known as Jack Caramatti, for over 10 years both personally and in business. Mr. Caramatti is a reputable businessman operating a restaurant known as the Silver Pheasant Inn at Middletown Road, Pearl River, N. Y. This establishment caters to, among other groups the Pearl River Rotary Club and the Pearl River Lions Club. Mr. Caramatti has operated this business for over 10 years except for the period when he served in the Armed Forces of the United States during World War II, when it was operated on his behalf by his father.

I am also acquainted with Joseph Biolzi, Mr. Caramatti's cousin, and have seen him and spoken with him at the Silver Pheasant Inn. Mr. Biolzi impresses me as a hard-working, sincere, young man highly regarded by Mr. Caramatti.

I have been advised and have every reason to believe that Mr. Caramatti is sincerely interested in the welfare of his cousin and adopted him because of the fact that his parents are natives of Italy and he wanted to assure Mr. Biolzi of his regard and affection for him. I understand that it is Mr. Caramatti's intention that Mr. Biolzi should eventually participate in the ownership of his business. Mr. Caramatti is without children of his own.

In my opinion this young man is the type of individual who would make a fine citizen, a credit to the United States as well as to Mr. Caramatti. I am informed

that he is ready and willing to defend the United States against any aggressor and believe that he today feels that the United States of America is his country.

HARRY G. HADELER.

Sworn to before me this 31st day of January 1952.

[SEAL]

MARION E. JOHNSON,
Notary Public, State of New York.

Commission expires March 30, 1953.

In addition, Mrs. St. George wrote to the chairman of the Senate Committee on the Judiciary as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., June 28, 1952.

Re H. R. 880 Giuseppe Biolzi

Hon. Pat McCARRAN,

*Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.*

DEAR SENATOR McCARRAN: I will appreciate it a great deal if you will use your personal efforts to expedite senatorial approval of the above bill.

Mr. Biolzi is a young man of excellent character and has been adopted by substantial citizens of my district.

I used every effort to have his admission cured by administrative process, however, I was unsuccessful. Therefore, the above bill became necessary.

For some time it was held up in the Committee on the Judiciary of the House but when it was determined that administrative remedies had been exhausted it was favorably reported by the committee and passed by the House.

I enclose a copy of the unfavorable decision by the Board of Immigration Appeals.

Thanking you for your consideration, I am

Very sincerely yours,

KATHARINE ST. GEORGE.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 880) should be enacted.

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